



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

the principal case is in accord with the conclusion in *Southcote v. Stanley*, 1 H. & N. 274. See also *Derby v. Railroad Co.*, 14 How. 468.

**PARTNERSHIP—DUTY TO KEEP ACCOUNTS—ILLITERATE PARTNER.**—Upon a bill for an accounting, the master found that both partners were illiterate, that no systematic accounts of the firm business had ever been kept, and that while plaintiff was absent and defendant was in charge of the business the same methods of bookkeeping were employed as theretofore. *Held*, defendant not liable for failure to keep proper books of account. *Poulette v. Chainay* (Mass., 1921), 129 N. E. 290.

The universally recognized duty of partners to exercise toward each other the utmost good faith in all their business dealings is well stated by Bacon, V. C., in *Helmore v. Smith*, 35 Ch. D. 436, 444. As a component part of the larger doctrine, every partner has the duty to see that proper accounts are kept of the partnership transactions. *MECHEM, PARTNERSHIP, § 116.* Failure of a partner to keep, or to enable another designated partner or clerk to keep, such accounts creates a presumption against the *bona fides* of such partner. *Dimond v. Henderson*, 47 Wis. 172; *Kelly v. Greenleaf*, 3 Story (U. S. C. C.) 105. But such presumption may be rebutted. *Tallmadge v. Penoyer*, 35 Barb. (N. Y.) 120; *Garretson v. Brown*, 185 Pa. St. 447; *Ferguson v. Wright*, 61 Pa. St. 258. It was held in the principal case that the presumption was rebutted by a showing that the defendant did all that might reasonably have been expected of one in his circumstances. And indeed such is the general requirement, although it is often stated in broader terms. The duty imposed is in its very nature co-related with the question of motive, and should not be judged or measured by a purely external standard. *Charlton v. Sloan*, 76 Ia. 288. That this is true is shown by the case of *Shoemaker v. Shoemaker*, 29 Ky. L. Rep. 134, in which a partner was held not liable for employing a deficient system of bookkeeping because the same system had been used for a number of years to the knowledge of the other partners and without any objection from them.

**RULE IN SHELLEY'S CASE—ESTATES—WILLS.**—Grantor conveyed to trustees on trust for J for life, remainder the heirs of her body. Trustees were given right actively to manage the estate during the life of J if they thought it wise. *Held*, J only took a life estate and the Rule in Shelley's Case did not apply, since the life estate was an equitable estate, while the remainder was a legal estate. *Youmans v. Youmans* (S. C., 1920), 105 S. E. 31.

Grantor conveyed to S for life, and after her death to her heirs in fee. *Held*, Rule in Shelley's Case applicable and S acquired an estate in fee simple. *Starling v. Newson* (N. C., 1920), 105 S. E. 3.

Testator devised to M for life, remainder to the heirs of her body lawfully begotten. *Held*, Rule in Shelley's Case did not apply, since from the whole instrument it appeared the testator meant the remainder to go to the children of M. *Blackledge v. Simmons* (N. C., 1920), 105 S. E. 202.

These cases, decided within a month of each other and reported in the